



Docket No. 17190.02  
Customer Number 37833

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: ENDRE, Jay

SERIAL NO: 10/757,537

FILED: January 15, 2004

ART UNIT: 2754

EXAMINER:

FOR: METHOD AND APPARATUS FOR MASONRY CHIMNEY FLUE REPAIR


COMMISSIONER FOR PATENTS  
P. O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CORRECTED FILING RECEIPT**

1. Attached are copies of the Combined Declaration and Power of Attorney (2 sheets), showing the priority claim to the provisional application; the first page of the utility application as filed (1 sheet), showing the Cross-Reference to Related Application; and the official filing receipt received from the PTO (1 sheet); all in the utility application for which issuance of a corrected filing receipt is respectfully requested.
2. Please correct the filing receipt to show that priority was claimed under 35 U.S.C. 119(e) to the U.S. provisional application Number 60/448,140, filed February 20, 2003. Enclosed for your reference is a copy of the official filing receipt received from the PTO for the related provisional application.

Respectfully submitted,

Date: 12/15/04

  
\_\_\_\_\_  
Richard C. Litman  
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Attorney for Applicant

RCL:plc/kap  
Enclosures



## COMBINED DECLARATION AND POWER OF ATTORNEY

As the below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## METHOD AND APPARATUS FOR MASONRY CHIMNEY FLUE REPAIR

the specification of which is attached hereto unless the following box is checked:

☐ was filed on \_\_\_\_\_ as United States Application Serial Number or PCT International Application Number \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificates, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

\_\_\_\_\_  
(Number) (Country) (Day/Month/Year Filed)

☐

\_\_\_\_\_  
(Number) (Country) (Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

\_\_\_\_\_  
60/488,140  
(Application Number)

\_\_\_\_\_  
02/20/2003  
(Filing Date)

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

(Application No.)	(Filing Date)	(Status: patented, pending, abandoned)
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(Application No.)	(Filing Date)	(Status: patented, pending, abandoned)
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I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Richard C. Litman: Registration No. 30,868

Direct all telephone calls to: Richard C. Litman  
(703) 486-1000

Address all correspondence to: Richard C. Litman  
LITMAN LAW OFFICES, LTD.  
P.O. Box 15035  
Arlington, VA 22215

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole or First Inventor: JAY ENDRE

Signature: Jay Endre

Date: 01-11-04 Country of Citizenship: U.S.A.

Residence: 10080 Minder Lane, Warrenton, VA 20186

Post Office Address: Same



METHOD AND APPARATUS FOR MASONRY CHIMNEY FLUE REPAIR

CROSS-REFERENCE TO RELATED APPLICATION

This application claims the benefit of U.S. Provisional Patent Application Serial No. 60/488,140, filed February 20, 2003.

BACKGROUND OF THE INVENTION

1. FIELD OF THE INVENTION

The present invention relates generally to masonry work, including grouting and mortaring of masonry structures. More specifically, the present invention comprises a relatively soft and pliable, resilient device for applying grout, mortar, or a similar substance to the flue liner of a chimney or the like. The present applicator includes an electrically powered vibrator therein, to assist in tamping or packing the grout material against the interior of the flue liner and into any crevices and gaps within the flue liner.

2. DESCRIPTION OF RELATED ART

Conventional masonry chimneys and similar structures incorporate a flue liner formed of a refractory material of some



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/757,537	01/15/2004	3754	385	17190.02	3	19	2

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 Arlington, VA 22215



CONFIRMATION NO. 4567

## FILING RECEIPT



\*OC000000012387520\*

Date Mailed: 04/19/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Jay Endre, Warrenton, VA;

## Domestic Priority data as claimed by applicant

This appln claims benefit of 60/488,140 07/17/2003

## Foreign Applications

If Required, Foreign Filing License Granted: 04/19/2004

Projected Publication Date: 01/20/2005

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

Method and apparatus for masonry chimney flue repair

## Preliminary Class



Commissioner for Patents  
Washington, DC 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
60/448,140	02/20/2003		80	17190.02	3		

LITMAN LAW OFFICES, LTD.  
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CONFIRMATION NO. 2583

**FILING RECEIPT**



\*OC00000009737117\*

Date Mailed: 03/31/2003

Receipt is acknowledged of this Provisional Patent Application. It will not be examined for patentability and will become abandoned not later than twelve months after its filing date. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

**Applicant(s)**

Jay Endre, Bealeton, VA;

**If Required, Foreign Filing License Granted:** 03/31/2003

**Projected Publication Date:** None, application is not eligible for pre-grant publication

**Non-Publication Request:** No

**Early Publication Request:** No

**\*\* SMALL ENTITY \*\***

**Title**

Method and apparatus for masonry chimney flue repair

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING